UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1995/NGO/8
1 February 1995
ORIGINAL : ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-first session
Item 11 of the provisional agenda

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Written statement submitted by Caritas Internationalis, the Commission of the Churches on International Affairs of the World Council of Churches and the Friends World Committee for Consultation (Quakers), non-governmental organizations in consultative status (category II)

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[9 January 1995]

GE.95-10509

INTERNALLY DISPLACED PERSONS

1. At its fiftieth session, the United Nations Commission on Human Rights adopted, without a vote, resolution 1994/68 entitled "Internally Displaced Persons" [1] The resolution, *inter alia*, encouraged the representative of the Secretary-General to continue his review of the needs for protection of and assistance to internally displaced persons, including his compilation and analysis of existing rules and norms, and invited him to make suggestions and recommendations with regard to ways and means of providing adequate and effective protection of and assistance to internally displaced persons.

2. At its forty-ninth session, the United Nations General Assembly, adopted, on 23 December 1993 without a vote, a resolution entitled "Office of the United Nations High Commissioner for Refugees". The resolution inter alia notes that "the many and varied underlying causes of involuntary internal displacement and of refugee movements are similar in numerous cases", recognises that action by the international community "may contribute to the easing of tensions and the resolution of problems resulting in displacement", and calls for a more concerted response by the international community including "timely and speedy humanitarian assistance and support to countries affected by internal displacement to help them fulfil their responsibility towards the displaced". It also acknowledges the need for continued close cooperation between the High Commissioner for Refugees and the representative of the Secretary-General on internally displaced persons.

3. We commend the work of the representative of the Secretary-General on internally displaced persons, in particular the visits he has undertaken during the last year to Burundi, Colombia and Rwanda, thus focussing attention on the plight of such persons in particular situations as well as in general. The cooperation of these governments is most encouraging and we urge that they, and the governments of the countries previously visited by the representative, act on his recommendations.

4. Following the last session of the Commission, the Inter-Agency Task Force on Internally Displaced Persons[2] was revived and has completed its assignment of proposing a more coherent frame-work for humanitarian assistance to Internally Displaced Persons, adopting its Report in November 1994. We welcome this Report and the recommendations contained therein, and hope that the endorsement by the Inter-Agency Standing Committee, at its Xth Meeting on 9 December 1994, heralds early implementation of the Task Force's recommendations.

---

[1] Co-sponsored by Argentina, Australia, Austria, Canada, Costa Rica, Cyprus, the Czech Republic, Denmark, Finland, France, the Gambia, Greece, Hungary, Italy, Latvia, Lesotho, Nigeria, Norway, Peru, the Russian Federation, Sweden, Switzerland, the United States of America and Uruguay.

[2] Convened by the Department of Humanitarian Affairs.

5. The Recommendations of the Inter-Agency Task Force foresee the need for the participation of the representative of the Secretary-General on internally displaced persons in meetings of the Inter-Agency Standing Committee or its derivatives when this subject is being discussed, in order to ensure that the human rights aspects are not overlooked and are coordinated with humanitarian responses. Similarly, the participation of the High Commissioner for Human Rights is recommended when issues relating to his functions are under consideration. We welcome the recognition of the need for such coordination and cooperation.

6. The Report of the Inter-Agency Task Force makes clear that there is a continuing need for a representative of the Secretary-General on Internally Displaced Persons. The mandate of the representative should be the human rights aspects of the subject, including the role of safeguarding human rights in reducing the causes of displacement, as well as coordination with the Inter-Agency Standing Committee and the High Commissioner for Human Rights, in addition to collecting and responding to information, undertaking field visits and ensuring follow-up to them.

7. Commission resolution 1994/68 encouraged the representative to continue his compilation and analysis of existing rules and norms applicable to internally displaced persons. We regret that this compilation is not yet available. We urge completion and wide circulation of the compilation as a matter of priority. Such a document drawing together existing standards, showing their relevancy, and indicating gaps and weaknesses in the existing standards and ways in which they might be filled, would go far towards demonstrating the protection which should be available to internally displaced persons. It is also an essential prerequisite before any consideration should be given to possible standard-setting in relation to internally displaced persons. In any case, the next step should be the production of a compact and usable body of principles applicable to internally displaced persons, rather than the setting of new standards. Such a body of principles should begin by stressing the applicability of all universally recognised human rights and fundamental freedoms, but then detail those of special relevance to internally displaced persons.

8. We remain concerned about some aspects of the working definition of internally displaced persons, in particular, the requirement of "large numbers" (undefined). We would, therefore, encourage the representative of the Secretary-General to give further consideration to the question of definition in the light of his growing experience of the issue. We welcome the suggestions made in this respect by the Legal Round Table on Internally Displaced Persons held in Vienna, 1-2 October 1994.

9. Given that the estimated numbers of internally displaced persons exceeds those of refugees, we remain extremely concerned about the lack of adequate resources provided for the work of the representative of the Secretary-General, and urge that the number and grade of personnel in the Human Rights Centre for this work be increased.

10. We urge the Commission on Human Rights to:

(a) Welcome the Report of the Inter-Agency Task Force on Internally Displaced Persons and urge early implementation of its Recommendations;

(b) Request the Secretary-General to extend the appointment of his representative for Internally Displaced Persons for a further three years;

(c) Urge the representative to complete, as a matter of priority, the compilation of existing international standards applicable to internally displaced persons;

(d) Ask the representative to give further consideration to the question of the definition of internally displaced persons;

(e) Encourage states visited by the representative to inform him of the action they have taken in response to his recommendations;

(f) Suggest that the representative and the High Commissioner for Human Rights establish a working relationship which provides maximum coordination and effectiveness of their roles; and

(g) Recommend a significant increase in the resources available for the work of the representative of the Secretary-General.